

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Case No. 3:20-cr-00019-MMD-CLB

Plaintiff,

ORDER

DOUGLAS LELAND MAURICE
CROSBY,

Defendant.

12 The Court granted Defendant John Douglas Leland Maurice Crosby's motion for
13 competency evaluation under 18 U.S.C § 4241. (ECF No. 35.) The Court ordered that
14 Crosby be transported to a suitable BOP facility that conducts psychological evaluations
15 for psychiatric or psychological evaluation to determine whether Crosby may presently be
16 suffering from a mental disease or defect rendering him mentally incompetent to the
17 extent that he is unable to understand the nature and consequences of the proceeding
18 against him or to assist properly in his defense. (*Id.*) Crosby was transported to the BOP's
19 Metropolitan Detention Center in San Diego ("MCC") for evaluation. (ECF No. 37.) MCC's
20 Warden submitted forensic evaluation ("Report"). (ECF No. 43.) Based on the available
21 information, including the examiner's observation of Crosby and available information
22 relating to Crosby, the examiner opined that "there is not enough information available at
23 this time to provide the Court with conclusive opinion but the greater weight of evidence
24 suggests the presence of mental illness." (*Id.* at 6.)¹ The examiner goes on to recommend

26 ¹The Court directs the Report to be filed under seal because it contains sensitive
27 medical information. However, the Court does not find it necessary to seal this Order
28 since the quoted excerpts from the Report involve more generalized observations and
opinion.

1 that Crosby "be transferred to a Federal Medical Center for a longer period of observation
2 and treatment in hopes that this leads to a more well-informed clinical picture." (*Id.*) Based
3 on the Report, the Court finds by preponderance of the evidence that Crosby is presently
4 suffering from a mental disease or defect rendering him mentally incompetent to the
5 extent that he is unable to understand the nature and consequences of the proceedings
6 against him or to assist properly in his defense.

7 It is therefore ordered, pursuant to 18 U.S.C. § 4241(d), that Defendant be
8 committed to a suitable BOP medical center for such a reasonable period of time, not to
9 exceed four months, as is necessary for further observation and treatment, and for an
10 additional reasonable period until: (1) his mental condition is so improved that trial may
11 proceed, if the Court finds that there is a substantial probability that, within such additional
12 period of time, he will attain the capacity to permit the proceedings to go forward; or (2)
13 the pending charge against him is disposed of according to law; whichever is earlier.

14 DATED THIS 24th Day of March 2021.

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16 MIRANDA M. DU
17 CHIEF UNITED STATES DISTRICT JUDGE
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